

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:18-cv-02736-MDD-KSC**

Buckovetz v. Department of the Navy
Assigned to: Magistrate Judge Mitchell D. Dembin
Referred to: Magistrate Judge Karen S. Crawford
Cause: 05:0552 Freedom of Information Act

Date Filed: 12/05/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Dennis M. Buckovetz
Pro Se

represented by **Dennis M. Buckovetz**
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V.

Defendant

Department of the Navy

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Date Filed	#	Docket Text
12/05/2018	<u>1</u>	COMPLAINT against Department of the Navy (Filing fee \$ 400 receipt number CAS107092.), filed by Dennis M. Buckovetz. (Attachments: # <u>1</u> proof of service, # <u>2</u> civil cover sheet) The new case number is 3:18-cv-2736-H-KSC. Judge Marilyn L. Huff and Magistrate Judge Karen S. Crawford are assigned to the case. (Dennis M. Buckovetz)(jrm)(sjt). (Additional attachment(s) added on 12/5/2018: # <u>3</u> receipt) (jrm). (Entered: 12/05/2018)
12/05/2018	<u>2</u>	Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. (jrm) (Entered: 12/05/2018)

03/19/2019	<u>3</u>	MINUTE ORDER OF RECUSAL: Judge Marilyn L. Huff hereby recuses from this case and directs the Clerk to randomly reassign this matter to another district judge. This case is randomly reassign to Judge William Q. Hayes for all further proceedings. Judge Marilyn L. Huff is no longer assigned to this case. The new case number is 18-cv-2736-WQH-KSC. SO ORDERED by Judge Marilyn L. Huff on 3/19/2019. (All non-registered users served via U.S. Mail Service)(no document attached) (smy) (Entered: 03/19/2019)
05/01/2019	<u>6</u>	SUMMONS Returned Executed by Dennis M. Buckovetz. Department of the Navy served. (ag) (Entered: 05/02/2019)
05/02/2019	<u>4</u>	Notice of Document Discrepancies and Order Thereon by Judge William Q. Hayes Accepting Document: Letter to the Judge, from Plaintiff Dennis M. Buckovetz. Non-compliance with local rule(s), OTHER: LR 83.9 Ex Parte communication. Nunc Pro Tunc 5/1/2019. Signed by Judge William Q. Hayes on 5/2/2019.(All non-registered users served via U.S. Mail Service)(ag) (Entered: 05/02/2019)
05/02/2019	<u>5</u>	Letter to the Judge from Dennis M. Buckovetz. NUNC PRO TUNC 5/1/2019 (ag) (Main Document 5 replaced on 5/2/2019) (ag). (Entered: 05/02/2019)
05/06/2019	<u>7</u>	ORDER. This Order constitutes notice to Plaintiff that the Court will dismiss this action against Defendants without prejudice unless, on or before May 28, 2019, Plaintiff files either (1) proof that service of the summons and complaint was timely effectuated in compliance with to Rule 4(i), or (2) a declaration under penalty of perjury showing good cause for failure to timely effect service upon the Defendant accompanied by a motion for leave to serve process outside of the 90-day period. Signed by Judge William Q. Hayes on 5/6/2019.(All non-registered users served via U.S. Mail Service)(aef) (Entered: 05/06/2019)
05/15/2019	<u>8</u>	SUMMONS Returned Executed (Proof of Service) by Dennis M. Buckovetz. Department of the Navy served. (tcf)(jrd) (Entered: 05/15/2019)
06/17/2019	<u>9</u>	MOTION to Dismiss Complaint for Lack of Jurisdiction <i>and Failure to State a Claim</i> by Department of the Navy. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration of Cinthia Christopher, # <u>3</u> Proof of Service by mail)(Parker, Katherine)Attorney Katherine Lind Parker added to party Department of the Navy(pty:dft) (ag). (Entered: 06/17/2019)
07/05/2019	<u>10</u>	RESPONSE in Opposition re <u>9</u> MOTION to Dismiss filed by Dennis M. Buckovetz. (ag) (Entered: 07/05/2019)
07/15/2019	<u>11</u>	Reply in Support of Motion re <u>9</u> MOTION to Dismiss Complaint for Lack of Jurisdiction <i>and Failure to State a Claim</i> filed by Department of the Navy. (Attachments: # <u>1</u> Proof of Service)(Parker, Katherine) Modified text on 7/16/2019 (tcf). (Entered: 07/15/2019)
07/30/2019	<u>12</u>	MOTION for Leave to File Surreply by Dennis M. Buckovetz. (ag) (Entered: 07/30/2019)
07/31/2019	<u>13</u>	ORDER. The Motion to Dismiss filed by Defendant Department of the Navy (ECF No. <u>9</u>) is DENIED. The Motion for Leave to File Surreply filed by Plaintiff (ECF No. <u>12</u>) is denied as moot. Signed by Judge William Q. Hayes on 7/31/2019. (All non-registered users served via U.S. Mail Service) (tcf) Modified text and regenerated NEF on 7/31/2019 (tcf). (jao). (Entered: 07/31/2019)
08/14/2019	<u>14</u>	ANSWER to <u>1</u> Complaint, by Department of the Navy. (Attachments: # <u>1</u> Proof of Service)(Parker, Katherine) (ag). (Entered: 08/14/2019)
08/14/2019	<u>15</u>	NOTICE AND ORDER for Early Neutral Evaluation Conference. Early Neutral Evaluation set for 9/23/2019 at 2:30pm. Signed by Magistrate Judge Karen S. Crawford on 8/14/2019.(All non-registered users served via U.S. Mail Service)(jpp) (Entered: 08/14/2019)
10/28/2019	<u>16</u>	Notice, Consent and Reference of a Civil Action to a Magistrate Judge by Dennis M. Buckovetz, Department of the Navy. Case reassigned to Magistrate Judge Mitchell D. Dembin. The new case number is 18cv2736-MDD. Signed by Judge William Q. Hayes on 10/26/2019.(All non-registered users served via U.S. Mail Service)(jdt) (Entered: 10/28/2019)

10/29/2019	<u>17</u>	<u>Order Setting Telephonic Case Management Conference</u> : A telephonic Case Management Conference will be held November 18, 2019 at 9:15 a.m. before Magistrate Judge Mitchell D. Dembin. Only counsel and Plaintiff, proceeding <i>pro se</i> , are required to participate. Counsel are ordered to use the dial-in information filed as a separate notice to access the Court's teleconference service. (The teleconference information sheet can be accessed through ECF using the login information assigned to an attorney of record in the case and then selecting the "report" option. On the next screen, the "docket sheet" option should be selected, prompting the user for a PACER login (assigned to the attorney of record). Once the PACER login is completed, the case number can be entered which will display the docket sheet for the case and allow the user to open the teleconference information sheet.). The teleconference information sheet will be mailed to Plaintiff. IT IS SO ORDERED by Magistrate Judge Mitchell D. Dembin on 10/29/2019.(All non-registered users served via U.S. Mail Service)(no document attached) (jb1) (Entered: 10/29/2019)
10/29/2019	<u>18</u>	NOTICE of Teleconference Information Sheet. Teleconference set for 11/18/2019 at 9:15AM. (All non-registered users served via U.S. Mail Service)(jb1) (Entered: 10/29/2019)
11/18/2019	<u>19</u>	Minute Entry for proceedings held before Magistrate Judge Mitchell D. Dembin: Case Management Conference held on 11/18/2019. Order to follow.(Plaintiff Attorney Dennis M. Buckovetz, pro se). (Defendant Attorney Katherine L. Parker). (All non-registered users served via U.S. Mail Service)(no document attached) (jb1) (Entered: 11/18/2019)
11/18/2019	<u>20</u>	Order Setting Briefing Schedule. A motion for summary judgment by 1/17/20. Any opposition must be filed by 2/7/20. Any reply brief must be filed by 2/14/20. Signed by Magistrate Judge Mitchell D. Dembin on 11/18/2019.(All non-registered users served via U.S. Mail Service)(mme) (Entered: 11/18/2019)